

Exhibit No. 2Date 2-1-07Bill No. 3B 130

BRAD FARRISH  
LARRY PHILLIPS  
First Ward Commissioners

DARRYL MCKENZIE  
DENISE JENNINGS  
Second Ward Commissioners

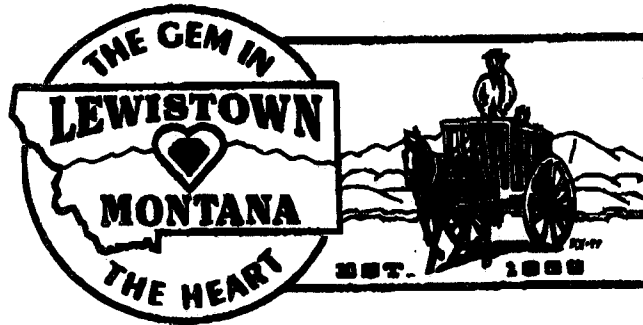
RICK FOSS  
GARY LANDERS  
Third Ward Commissioners

DAVE BATHER, JR.  
At-Large Commissioner

KEVIN MYHRE  
City Manager

MONTE BOETTGER  
City Attorney

# CITY OF LEWISTOWN



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Phone (406) 538-2303 / Fax (406) 5383323

NIKKI BRUMMOND  
Financial Officer

JIM DANIELS  
Park and Recreation  
Director

KEVIN  
MYHRE  
Chief of Police

WILLIAM RASH  
Fire Chief

LEO KAPP  
Director of Public Works

BRIDGETT JOHNSON  
Library Director

DIANE FERDINAND

February 1, 2007

Senator Kim Gillan, Chairperson  
Committee on Local Government  
Montana State Capitol  
P.O. Box 200400  
Helena, MT. 59620

Dear Senator Gillan;

I am writing this letter on behalf of the Lewistown Fire Department and in regard to Senate Bill 130. Our jurisdiction has some significant concerns with this legislation in its present form. More specifically, our concerns lie within Subsections 3a, 3b and 3c.

Basically, the aforementioned section and subsections provide that municipalities will be required to adopt and modify whatever fire code the Department of Justice adopts within a 180 day period.

Although I can see a certain degree of merit in having a standard statewide fire code, I can also see many potentially detrimental aspects as well. The greatest concern that I would have with the aforementioned sections as drafted, would be the loss of local control over what fire code would best serve the interests of Montana's very diverse communities. As you know, every Montana community has its own unique characteristics such as political make-up, demographics, geographics and special hazard areas, just to name a few. It is our jurisdiction's strong belief that we should be able to retain the authority to review and adopt the fire code that we feel would best represent the community in which we are charged with protecting. This legislation would effectively take that review and adoption process away from our jurisdiction and potentially replace it with a state adopted fire code that would not serve our community as well. I also have a great concern with the requirement that fire departments must adopt or modify the state adopted code as set forth by the state within 180 days. To some, the 180 day ~~adoption~~ <sup>adoption</sup> ~~modification~~ <sup>modification</sup> ~~process~~ <sup>process</sup> ~~may~~ <sup>may</sup> ~~be~~ <sup>be</sup> ~~reasonable~~ <sup>reasonable</sup>. However, in smaller jurisdictions with very limited

On behalf of the City of Lewistown, I would respectfully request that you completely remove the aforementioned sections of this legislation, refrain from even consideration of modification, and allow local jurisdictions to retain their full authority to adopt and modify fire codes according to local community needs. Thank you.

*William D. Rash, Jr.*  
William D. Rash, Jr., Fire Chief

*Jason L. Manley*  
Jason L. Manley, Asst. Chief/Fire Marshal

*Kevin Myhre*  
Kevin Myhre, City Manager

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